

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**FRED ALBERT BARTHOLOMEW,**  
**Petitioner**

**V.**

**JOSEPH F. DESUTA,**  
**Respondent.**

**C.A. No. 05-60 Erie**

**District Judge McLaughlin  
Magistrate Judge Baxter**

## ORDER

AND NOW, this 13<sup>th</sup> day of July, 2005;

IT IS HEREBY ORDERED that Respondent's "Motion for Extension of Time to File Respondent's Answer and Brief" [Document # 13] is GRANTED and Respondent shall have until August 30, 2005, to file an answer and brief to the Petition.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
Chief U.S. Magistrate Judge

cc: All parties of record